

2135/TFW
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Leslie V. Niles

APPLICATION NO.: 09/693,798

FILING DATE: 
October 29, 2000

TITLE: Method And Apparatus For Adding A Unique Signature To
Network Data Traffic

EXAMINER: Linh L.D. Son

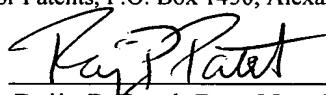
GROUP ART UNIT: 2135

ATTY. DKT. NO.: 22501-05465

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: February 22, 2005

By: 
Rajiv P. Patel, Reg. No.: 39,327

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;

- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
 - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
 - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated

PATENT

under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____, filed on _____, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
LESLIE V. NILES

By: 
Rajiv P. Patel, Reg. No.: 39,327
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7607
Fax: (650) 938-5200

Dated: February 22, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application No.	09/693,798
				Filing Date	October 19, 2000
				First Named Inventor	Leslie V. Niles
				Art Unit	2135
				Examiner Name	Linh L. D. Son
Sheet	of	4	Attorney Docket Number		
22501-05465					

FEB 25 2005
PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No.	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-6,745,197 B2	06-01-2004	McDonald
	A2	US-6,721,749 B2	04-13-2004	Najm et al.
	A3	US-6,629,102 B1	09-30-2003	Malloy et al.
	A4	US-6,462,758 B1	10/08/2002	Price et al.
	A5	US-2002/0133412 A1	09-19-2002	Oliver et al.
	A6	US-6,438,125 B1	08-20-2002	Brothers
	A7	US-6,374,266 B1	04-16-2002	Shnelvar
	A8	US-6,353,929 B1	03-05-2002	Houston
	A9	US-6,343,284 B1	01-29-2002	Ishikawa et al.
	A10	US-6,286,029 B1	09-04-2001	Delph
	A11	US-6,272,535 B1	08-07-2001	Iwamura
	A12	US-2001/0010059 A1	07-26-2001	Burman et al.
	A13	US-6,179,205 B1	01-30-2001	Sloan
	A14	US-6,141,754	10-31-2000	Choy
	A15	US-6,141,686	10-31-2000	Jackowski et al.
	A16	US-6,108,700	08-22-2000	Maccabee et al.
	A17	US-6,085,243	07-04-2000	Fletcher et al.
	A18	US-6,078,908	06-20-2000	Schmitz
	A19	US-6,044,401	03-28-2000	Harvey
	A20	US-6,041,041	03-21-2000	Ramanathan et al.
	A21	US-5,933,602	08-03-1999	Grover
	A22	US-5,917,822	06-29-1999	Lyles et al.
	A23	US-5,892,903	04-06-1999	Klaus
	A24	US-5,878,420	03-02-1999	de la Salle

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

22501/05465/DOCS/1493412.1

12/30/04

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application No.	09/693,798
				Filing Date	October 19, 2000
				First Named Inventor	Leslie V. Niles
				Art Unit	2135
				Examiner Name	Linh L. D. Son
Sheet	2	of	4	Attorney Docket Number	22501-05465

U.S. PATENT DOCUMENTS				
		Document No.		
Examiner Initials*	Cite No. ¹	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A25	US-5,870,557	02-09-1999	Bellovin et al.
	A26	US-5,870,546	02-09-1999	Kirsch
	A27	US-5,812,529	09-22-1998	Czarnik et al.
	A28	US-5,787,253	07-28-1998	McCreery et al.
	A29	US-5,781,735	07-14-1998	Southard
	A30	US-5,751,698	05-12-1998	Cushman et al.
	A31	US-5,651,006	07-22-1997	Fujino et al.
	A32	US-5,644,717	07-01-1997	Clark
	A33	US-5,638,009	06-10-1997	Sutherland
	A34	US-5,627,886	05-06-1997	Bowman
	A35	US-5,606,688	02-25-1997	McNutt et al.
	A36	US-5,600,632	02-04-1997	Schulman
	A37	US-5,539,659	07-23-1996	McKee et al.
	A38	US-5,528,516	06-18-1996	Yemini et al.
	A39	US-5,526,283	06-11-1996	Hershey et al.
	A40	US-5,446,874	08-29-1995	Waclawsky et al.
	A41	US-5,430,709	07-04-1995	Galloway
	A42	US-5,377,196	12-27-1994	Godlew et al.
	A43	US-5,375,070	12-20-1994	Hershey et al.
	A44	US-5,365,514	11-15-1994	Hershey et al.
	A45	US-5,361,353	11-01-1994	Carr et al.
	A46	US-5,351,243	09-27-1994	Kalkunte et al.
	A47	US-5,315,580	05-24-1994	Phaal
	A48	US-5,247,517	09-21-1993	Ross et al.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
Complete if Known

Application No.	09/693,798
Filing Date	October 19, 2000
First Named Inventor	Leslie V. Niles
Art Unit	2135
Examiner Name	Linh L. D. Son

Sheet 3 of 4

Attorney Docket Number 22501-05465

U.S. PATENT DOCUMENTS

		Document No.		
Examiner Initials*	Cite No. ¹	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A49	US-5,197,127	03-23-1993	Waclawsky et al.
	A50	US-5,159,685	10-27-1992	Kung
	A51	US-4,817,080	03-28-1989	Soha
	A52	US-4,672,572	06-09-1987	Alsberg

FOREIGN PATENT DOCUMENTS

		Foreign Patent Document			
Examiner Initials*	Cite No. ¹	Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
	B1	JP 6-72218	03-15-1994	(not known)	
	B2	JP 05-267429	10-15-1993	Fujitsu Ltd.	
	B3	JP 4-64129	02-28-1992	(not known)	
	B4	JP 03-267627	11-28-1991	Matsushita Electric Ind. Co. Ltd.	
	B5	JP 03-248031	11-06-1991	Mitsubishi Heavy Ind. Ltd.	
	B6	JP 2-44447	02-14-1990	(not known)	
	B7	JP 64-068835	03-14-1989	MORI, Ryoichi	
	B8	JP 62-051832	03-06-1987	Fujitsu Ltd.	
	B9	JP 61-230149	10-14-1986	Konishiroku Photo Ind. Co. Ltd.	
	B10	JP 60-191322	09-28-1985	(not known)	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
	C1	Bay Networks, Chapter 2: SNMP, RMON, BOOTP, DHCP, and RARP Concepts, March 1997, 8 pages, http://www.baynetworks.com/library/pubs/html/routers	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application No.	09/693,798
				Filing Date	October 19, 2000
				First Named Inventor	Leslie V. Niles
				Art Unit	2135
				Examiner Name	Linh L. D. Son
Sheet	4	of	4	Attorney Docket Number	22501-05465

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
	C2	BLAZE, M., "NFS Tracing By Passive Network Monitoring," Department of Computer Science, Princeton University, undated.	
	C3	BRADEN, ROBERT T., "A Pseudo-Machine for Packet Monitoring and Statistics: (1988) SIGCOMM '88 Symposium, Communications, Architectures & Protocols, Stanford, California, pp. 200-209.	
	C4	Cisco Systems, Inc.: "NetFlow FlowCollector Installation and User Guide," Chapter 5, pp. 5-1-5-8, undated.	
	C5	Cisco Systems, Inc.: "NetFlow FlowCollector Installation and User Guide," Chapter 6, pages 6-1-6-28, undated.	
	C6	ENGER and REYNOLDS, RFC 1470, http://ftp.cised.unima.it/pub/docs/rfc - unsorted/rfc 1470.txt , pp. 65, 70, 93, 95, 102, 103, 128, 135, 146, and 160, June 1993.	
	C7	HAUGDAHL, J. SCOTT, "Benchmarking LAN Protocol Analyzers" (1988) IEEE Proceedings, 13 th Conference on Local Computer Networks, Minneapolis, Minnesota, pp. 375-384.	
	C8	MACKIE-MASON, JEFFREY K. and VARIAN HAL R., "Economic FAQs About the Internet," June 1, 1996, < http://www-personal.umich.edu/~jmm/papers/FAQs/econ-faqs-mit96-net.pdf >.	
	C9	MACKIE-MASON, JEFFREY K. and VARIAN, HAL R., "Pricing the Internet," February 10, 1994. < http://www-personal.umich.edu/~jmm/papers/Pricing_the_Internet.pdf >	
	C10	MACKIE-MASON, JEFFREY K. and VARIAN, HAL R., "Some FAQs About Usage-Based Pricing," September 14, 1994, < http://www-personal.umich.edu/~jmm/papers/useFAQs.pdf >	
	C11	MANN, THERESA C. et al., Network Design: Management and Technical Perspectives, CRC Press, Aug. 1998, 9 pages	
	C12	MINNICH, N. MICHAEL, "A Packet Capture System for LAN Software Development" (1986) IEEE Proceedings, 11 th Conference on Local Computer Networks, Minneapolis, Minnesota, pp. 68-76.	
	C13	MOGUL, JEFFREY C., "Efficient Use of Workstations for Passive Monitoring of Local Area Networks: (1990) SIGCOMM '90 Symposium, Communications, Architectures & Protocols, Philadelphia, Pennsylvania, pp. 253-263.	
	C14	MOGUL, JEFFREY C., "The Packet Filter: An Efficient Mechanism for User-Level Network Code," (1987) Operating Systems Review, Vol. 21, No. 5, Proceedings of the Eleventh ACM Symposium on Operating Systems Principles, Austin, Texas, pp. 39-51.	
	C15	SILVERMAN, RACHEL EMMA, "Intrusion Detection Systems Sniff Out Digital Attacks," Wall Street Journal, Feb. 4, 1999.	
	C16	WILSON, TIM, Sniffer Meets RMON At N+1, http://www.internetwk.com/news1098/news102298-2.thm	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.